## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF **PENNSYLVANIA**

DANIEL HUBERT, individually and on behalf of : Civil Action No. 2:15-cv-01391-MRH

all others similarly situated,

Plaintiff,

Oral Argument Requested

v.

This Document Relates

GENERAL NUTRITION CORPORATION,

All Actions

Defendant.

(In re: GNC Picamilon/BMPEA Litigation)

PLAINTIFFS' NOTICE OF MOTION TO STRIKE **DECLARATION OF STEPHEN CHERRY** 

Plaintiffs respectfully move this Court for an Order striking certain portions of the Declaration of Stephen Cherry, attached to Defendant General Nutrition Corporation's Motion to Dismiss Plaintiffs' Second Amended Consolidated Class Action Complaint.

In support of this motion Plaintiffs respectfully submit their Brief in Support of Plaintiffs' Motion to Strike Declaration of Stephen Cherry, filed concurrently with this notice. A proposed Order is attached.

Dated: November 14, 2017 Respectfully submitted,

## /s/ Shanon J. Carson

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